

Message Text

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ACTION EB-07

INFO OCT-01 AF-06 EUR-12 NEA-09 ISO-00 CAB-02 CIAE-00

COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 RSC-01 FAA-00

L-02 SS-15 NSC-05 SP-02 PRS-01 /070 W

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R 301645Z JAN 75

FM AMEMBASSY YAOUNDE

TO SECSTATE WASHDC 5054

INFO AMEMBASSY ABIDJAN

AMEMBASSY ACCRA

AMEMBASSY BANGUI

AMEMBASSY BRUSSELS

AMCONSUL CASABLANCA

AMEMBASSY COTONOU

AMEMBASSY DAKAR

AMCONSUL JOHANNESBERG

AMEMBASSY KINSHASA

AMEMBASSY LAGOS

AMEMBASSY LIBREVILLE

AMEMBASSY LOME

AMEMBASSY MONROVIA

AMEMBASSY NAIROBI

AMEMBASSY NOUAKCHOTT

AMEMBASSY NDJAMENA

AMEMBASSY NIAMEY

AMEMBASSY OUAGADOUGOU

AMEMBASSY PRETORIA

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FROM RCAA WHITMAN

BRUSSELS AND LAGOS FOR FAA

E.O. 11652: N/A

TAGS: EAIR, ETRN, XJ

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SUBJECT: IVORY COAST GRANTS PAN AM SECOND FREQUENCY THROUGH ABIDJAN

AND DEMANDS BILATERAL

SUMMARY. ON JANUARY 27 AIR AFRIQUE (RK) AND GOIC AUTHORIZED PAN AM (PA) ONE ADDITIONAL FREQUENCY THROUGH ABIDJAN EFFECTIVE MAY 1, 1975. ROUTING: NEW YORK-MONROVIA-ABIDJAN-ACCRA OR LAGOS-KINSHASA-NAIROBI. SECOND FREQUENCY REQUESTED WITH DESTINATION JOHANNESBURG WAS REFUSED. AT SAME TIME RK AND GOIC REQUESTED BILATERAL NEGOTIATIONS WITH USG BE COMPLETED NOT LATER THAN MAY 1, 1976, OTHERWISE PAN AM WILL NOT BE PERMITTED OPERATE INTO ABIDJAN AT ALL. RK DOCUMENTS SHOW UNEXPECTED GOIC INSISTENCE BILATERAL TRIGGERED BY, IN RK VIEW, HUMILIATING TREATMENT BY CAB AT JULY 1974 HEARING RK PETITION FOR RENEWAL ITS OPERATING PERMIT. USG-GOIC BILATERAL WILL INSURE THAT GOIC AND RK WILL NOT BE VULNERABLE REPEAT THIS TREATMENT IN FUTURE. END SUMMARY.

1. BACKGROUND: REGIONAL CIVIL AIR ATTACHE AFRICA (RCAA) VISITED ABIDJAN JANUARY 24-28 AND SUBMITS FOLLOWING INFORMATION BY LETTER DATED 5 DECEMBER 1974. PAN AM REQUESTED GOIC APPROVE TWO ADDITIONAL FREQUENCIES THROUGH ABIDJAN AS FOLLOWS: NEW YORK-MONROVIA-ABIDJAN-ACCRA OR LAGOS-KINSHASA-NAIROBI AND SAME ROUTING EXCEPT KINSHASA-JOHANNESBURG.

2. ON JANUARY 27, MR. LOUIS BERMAN, PAN AM'S DIRECTOR FOR RK COUNTRIES MET FOR TWO HOURS WITH MR. MAMADOU COULIBALY, RK'S DIRECTOR, AIR AGREEMENTS, HIS ASSISTANT, MR. SAVANNE VASSIBIRI, GOIC'S DIRECTOR OF CIVIL AVIATION, AND MR. MAURICE BAH, ASECNA'S REPRESENTATIVE TO GOIC. RESULTS OF MEETING WERE: EFFECTIVE 1 MAY PAN AM AUTHORIZED ONE ADDITIONAL FREQUENCY (TO NAIROBI) WITH NO TRAFFIC RIGHTS ABIDJAN-KINSHASA TO INCLUDE INTERNATIONAL STOPOVER TRAFFIC BETWEEN THESE TWO POINTS AND IF USG-GOIC BILATERAL NOT NEGOTIATED ONE YEAR LATER (MAY 1, 1976) PA WOULD BE DENIED AUTHORIZATION SERVE ABIDJAN.

3. SUBSEQUENT TO ABOVE MEETING, MR. BERMAN AND RCAA DISCUSSED MATTER, ESPECIALLY SUDDEN AND TOTALLY UNEXPECTED INSISTENCE GOIC ON BILATERAL. MR. BERMAN THEN INFORMED RCAA THAT HE (BERMAN) HAD HEARD THAT RK IN PARTICULAR AND GOIC AND GOVERNMENT OF SENEGAL IN GENERAL WERE UPSET AND LIMITED OFFICIAL USE

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IRRITATED BY THE TREATMENT ACCORDED RK AT CAB HEARING IN JULY 1974 ON RK PETITION RENEW ITS FOREIGN AIR CARRIER PERMIT. ACCORDING BERMAN RK PARTICULARLY RILED AT LENGTH HEARING AND INSISTENCE CAB COUNSEL ON DETAILS RK AND MEMBER COUNTRIES WHICH IN RK VIEW WERE UNNECESSARY. RCAA SUGGESTED GOIC'S SUDDEN INSISTENCE FOR BILATERAL PROBABLY TRIGGERED (IN REACTION) BY, IN RK'S VIEWS, THIS HEAVY-HANDED TREATMENT ON PART CAB.

4. ON JANUARY 28 RCAA AND MR. BERMAN CALLED ON RK'S PRESIDENT AND BOARD CHAIRMAN, MR. AOUSSOU KOFFI, MR. ROBERT DUGUE (FRENCHMAN WHO ATTENDED HEARINGS AND FOLLOWED THROUGH SUBSEQUENT WORK CONNECTED THERETO), COMMERCIAL DIRECTOR, AND MR. MAMADOU COULIBALY (SAME RK OFFICIAL WHO ATTENDED BERMAN MEETING ABOVE). (DISCUSSION WITH MR. KOFFI FOLLOWS BY RCAA AIRGRAM)

5. RCAA ASKED MR. DUGUE TO DESCRIBE HIS PROBLEMS WITH CAB AND IN REPLY, MR. DUGUE STATED EMPHATICALLY THAT IN HIS OPINION DATA REQUESTED BY CAB COUNSEL UNNECESSARY AND PETTY NECESSITATING LARGER NUMBER OVERSEAS PHONE CALLS, TELEXES, ETC. WHICH TOOK A GREAT DEAL OF TIME, EFFORT AND EXPENSE AND WHICH TOGETHER WITH LEGAL FEES RAN TOTAL COST TO RK OF PETITIONING FOR RENEWAL PERMIT TO DOLS 13,000.00 AS COMPARED TO DOLS 3,000PP FOR PREVIOUS RENEWAL PETITION. IN ADDITION, THERE WAS BEYOND -HOMELAND RESTRICTION, ONE OF THE FIRST TO BE IMPOSED. HE SHOWED MR. BERMAN AND RCAA RELEVANT DOCUMENTS PERTAINING TO HEARING WHICH WERE PHOTOCOPIED AND ARE BEING FORWARDED TO DEPARTMENT'S DIRECTOR, OFFICE OF AVIATION. KEY DOCUMENT IS TELEX FROM DUGUE TO RK'S LEGAL FIRM IN WASHINGTON IN RESPONSE TO SAID FIRM'S QUERY AS TO WHETHER OR NOT RK WISHED THEM FILE ANOTHER BRIEF CONCERNING CAB'S COUNSEL QUOTE EXCEPTING TO JUDGE WHITING'S FAILURE TO RECOMMEND THAT APPLICANT'S AUTHORITY TO SERVE ANY MEMBER COUNTRY OF AIR AFRIQUE BE CONDITIONED ON THAT COUNTRY'S MEMBERSHIP IN AIR AFRIQUE. UNQUOTE. KEY DOCUMENT IN QUESTION STATES: QUOTE WILL YOU TELL MR. RASSENBERGER (RK'S LAWYER WASHINGTON) THAT IN ANSWER TO HIS LETTER OF AUGUST 30TH I DON'T THINK IT WORTH IT TO FILE ANOTHER BRIEF STATEMENT ON OUR CASE STOP WE WILL INSTEAD ASK SENEGAL TO PRESS FOR BILATERAL NEGOTIATIONS OR ELSE GIVE PAA THE SAME RIGHTS WE HAVE FROM USG. UNQUOTE.

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6. DUGUE NOTED THAT AFRICANS IN RK EXTREMELY SENSITIVE AND THAT RK'S TREATMENT AT HANDS CAB HAD DEEPLY OFFENDED THEM.

7. MEETING WAS THEN HELD WITH MR. COULIBALY. CONSIDERABLE DISCUSSION REGARDING 1968 USG-SENEGAL NEGOTIATIONS ENSUED WHICH WILL BE SUBMITTED BY RCAA AIRGRAM. MAJOR THRUST BY COULIBALY WAS WHY USG REFUSES GRANT BILATERALS TO QUOTE AFRICAN COUNTRIES UNQUOTE AND THAT SEPARATE BILATERALS WOULD HAVE TO BE NEGOTIATED WITH EACH RK COUNTRY SERVED BY PAN AM. RE FIFTH FREEDOM PROBLEM HE STATED THAT CONFIDENTIAL ANNEX WOULD GRANT THESE RIGHTS US DESIGNATED CARRIER. RCAA ATTEMPTED, WITH NO SUCCESS, DISCOURAGE COULIBALY FROM INSISTING ON BILATERAL ARGUING THAT RK-PA RELATIONSHIP HAS BEEN OPERATING SMOOTHLY FOR NEARLY TEN YEARS HENCE WHY NEED FOR

BILATERAL.

8. RCAA COMMENT: JUDGING FROM ATMOSPHERE AND SUBSTANCE DUGUE AND COULIBALY MEETINGS IT OBVIOUS RK AND GOIC DEEPLY RESENT CAB ACTION AS HUMILIATING TO THEM AND TO INSURE THAT THEY WILL NOT BE SUBJECTED TO REPEAT BOTH DETERMINED OBTAIN BILATERAL WITH USG.

9. RCAA RECOMMENDATION: THAT DEPARTMENT BE PREPARED RENEW SUSPENDED NEGOTIATIONS WITH SENEGAL AS SOON AS CONVENIENT AND FOLLOW UP WITH NEGOTIATIONS WITH GOIC. HOPEFULLY SCHEDULE COULD BE DRAWN UP TO PERMIT USG DELEGATION CONTINUE IMMEDIATELY WITH DAHOMEY AND GABON. ADVISE.

10. RK HAS YET TO RECEIVE NOTIFICATION FROM CAB ACTION TAKEN, IF ANY, RE RK'S PETITION RENEW ITS OPERATING PERMIT. ADVISE

11. REQUEST ALL FURTHER TRAFFIC THIS SUBJECT BE INFOED CASABLANCA AND ABIDJAN.

12. RCAA AIRGRAM FOLLOWS.
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Message Attributes

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